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UNITED NATIONS



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THIRD CONFERENCE ON THE LAW OF THE SEA

A/CONF.62/C.2/L.22
25 July 1974

ORIGINAL: ENGLISH

SECOND COMMITTEE

Greece: draft articles of the Convention

PART II

NATIONAL MARITIME ZONES

SECTION I

GENERAL

Article I

Zones

1. The national maritime zones comprise: (a) the internal or archipelagic waters, (b) the territorial sea, (c) the contiguous zone, (d) the economic zone, in which the coastal State exercises its national sovereignty or jurisdiction in accordance with the provisions of this Convention.
2. The national maritime zones extend up to a maximum seaward limit of 200 nautical miles.

Article 2

Maritime zones under national sovereignty

1. The sovereignty of a coastal State extends beyond its continental or insular territory to its: (a) internal or archipelagic waters, (b) territorial sea, (c) continental shelf area of the economic zone.
2. The sovereignty of a coastal State extends also beyond its continental or insular territory to the air space over the internal or archipelagic territory, to the air space over the internal or archipelagic waters, over the territorial sea, and to the sea-bed and subsoil thereof and to the continental shelf, as well as to their resources.
3. This sovereignty is exercised subject to the provisions of these articles and to the other rules of international law.

Article 3

Maritime zones under national jurisdiction

1. Subject to the provisions of this Convention the coastal State exercises jurisdiction over the contiguous zone and the economic zone.

SECTION II

INTERNAL OR ARCHIPELAGIC WATERS AND BASELINES

Article 4

Internal and archipelagic waters

1. Internal waters are the waters adjacent to the coast of a State on the landward side of the baseline of its territorial sea.
2. Archipelagic waters are the waters adjacent to the coast of archipelagic islands on the landward side of the baseline of their territorial sea in accordance with the provisions of this Convention.

Article 5

Baselines

1. Baseline is the line, normal or straight, which divides the internal or archipelagic waters from the territorial sea.
2. Normal baseline is the natural low water line along the continental or insular coast as marked on charts officially recognized by the coastal State.
3. Straight baseline is the line employed in drawing the line separating the internal or archipelagic waters from the territorial sea.
4. The method of straight baselines joining appropriate points of the coast may be employed: (a) where the natural coastline is indented and cut into, (b) in the case of bays under the provisions of this section, (c) if there is a fringe of islands (d) in the case of archipelagos.
5. The drawing of such baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the régime of internal waters.
6. Baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them.

7. If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-tide line of its banks.
8. The system of straight baselines may not be applied by a State in such a manner as to cut off from the high seas the territorial sea of another State.
9. The coastal State must clearly indicate straight baselines on charts, to which due publicity must be given.

Article 6

Bays

1. This article relates only to bays the coasts of which belong to a single State.
2. For the purpose of this article, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.
3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water mark of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.
4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed 24 miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.
5. Where the distance between the low-water marks of the natural entrance points of a bay exceed 24 miles, a straight base-line of 24 miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.
6. The foregoing provisions shall not apply to so-called "historic" bays, or in any case where the straight base-line system provided for in article 5 is applied.

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SECTION III

TERRITORIAL SEA

Article 7

Definition and breadth of the territorial sea

1. Territorial sea is the belt of sea extending from the outer limit of the internal or archipelagic waters to 12 nautical miles measured from the baselines, drawn in accordance with article 5 of Section II of this Convention.
2. The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.
3. Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea. The coastal State must clearly demarcate such roadsteads and indicate them on charts together with their boundaries, to which due publicity must be given.

Article 8

Delimitation of the territorial sea

1. Every State shall have the right to determine the breadth of its territorial sea to 12 nautical miles.
2. Where the coasts of two States are opposite or adjacent to each other, neither of two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line, every point of which is equidistant from the nearest points on the baselines continental or insular, from which the breadth of the territorial seas of each of the two States is measured.
3. The line of delimitation between the territorial seas of two States opposite or adjacent to each other shall be marked on charts officially recognized by the coastal States.
4. For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast.
5. Where the establishment of a territorial sea of 12 nautical miles has the effect of enclosing areas which had been previously considered as part of the high sea, the State extending its territorial sea shall ensure peaceful navigation through appropriate sea-lanes established for that purpose without prejudice to the régime of straits in accordance with the provisions of Section ... of this Convention.

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Article 9

Islands

1. An island is a naturally formed area of land, surrounded by water which is above water at high-tide.
 2. An island forms an integral part of the territory of the State to which it belongs. The territorial sovereignty over the island extends to its territorial sea, to the air space over the island and its territorial sea to its sea-bed and subsoil thereof and to its continental shelf for the purpose of exploring it and exploiting its natural resources.
 3. The maritime zone of the island is determined in accordance with the same provisions applicable to the measurements of the territorial sea of the continental part of the territory of the State.
 4. The above provisions do not prejudice the régime of archipelagic islands.
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Corrigendum

Page 5, article 9, paragraph 3

The first line should read:

The maritime zones of the island are determined in accordance with the same
